

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

-----X

In re:

Chapter 11

ETOYS, INC., et al.,

Case Nos. 01-0706 (MFW)
through 01-0709 (MFW)

Debtors.

ROBERT K. ALBER, *Pro Se*,

X

Appellant,

v.

Civil Action No. 05-0830
Procedurally Consolidated with
Civil Action No. 05-0831

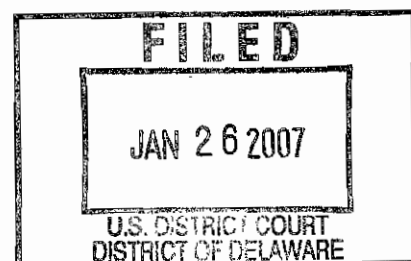
TRAUB, BONACQUIST & FOX, LLP,
BARRY GOLD, MORRIS, NICHOLS,
ARSHT & TUNNELL, LLP, and POST-
EFFECTIVE DATE COMMITTEE OF
EBC I, INC.,

Appellees.

-----X

**NOTICE OF FILING OF CERTIFICATE OF SERVICE IN
COMPLIANCE WITH THE DELAWARE DISTRICT
COURT CLERK'S OBJECTION**

In reference to the Objection to entering the ALBER Appellate Brief into the Court Record, as filed by the Delaware District Court Clerk on January 23rd, 2007 (*Exhibit A*), I, Robert K. Alber, Pro Se Appellant in Civil Case No. 05-0830 and Cross Appellee in Civil Case No. 05-0831 (hereafter referred to as "ALBER" whether in the first or third person as appropriate grammar dictates), do now notify all parties that ALBER has rectified ALBER's inadvertent error in not listing 'Laser' Steven Haas' (hereafter referred to as "HAAS") in Service Lists in



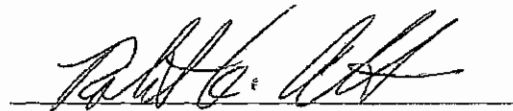
the above referenced cases (please see *Exhibit B*; the Certificate of Service certifying that ALBER has now served HAAS in matters related to these cases).

ALBER also apologizes to the District Court Clerk for these inadvertent errors and vows to not repeat said errors in the future. ALBER does, though, iterate that the inadvertent omission to ALBER Service Lists by not including HAAS in the official ALBER Service Lists does not reflect that ALBER did not serve HAAS, merely that HAAS was not included in ALBER Service Lists.

Having thus complied with all Objections by the Delaware District Court Clerk to entering the ALBER Appellate Brief into the Court Record, ALBER hereby requests that the ALBER Appellate Brief immediately be entered into the Court Record.

ALBER also requests that if any party(ies) to this case have any issues with this Service List, that they voice these issues now so as to preclude any future misunderstandings or delays.

RESPECTFULLY SUBMITTED this 25th day of January, 2007,

A handwritten signature in black ink, appearing to read 'R. K. Alber', is written over a horizontal line.

ROBERT K. ALBER

Pro Se Appellant/Cross Appellee
17685 DeWitt Avenue
Morgan Hill, CA 95037
Tel/Fax: (408) 778-5241
Cell: (928) 279-6244
condo28@mail.com

CERTIFICATE OF SERVICE

I, Robert K. Alber, hereby certify that I served the ALBER NOTICE OF FILING OF CERTIFICATE OF SERVICE in the above referenced cases on the party(ies) listed below in the manner so indicated on January 25th, 2007:

(Original via mail and one (1) copy hand delivered)

Office of the Clerk
United States District Court in the District of Delaware
844 N. King Street, Lockbox 18
Wilmington, Delaware 19801-3570

(Original via mail and one (1) copy hand delivered)

Office of the Clerk
Court of the United States Bankruptcy Court
District of Delaware
824 Market Street, 5th Floor
Wilmington, Delaware 19801

(Served by mail and e-mail)

'Laser' Steven Haas
108 E. Jewel Street
Delmar, Delaware 19940
laserace01@yahoo.com

(Served by mail and e-mail)

Robert J. Dehney, ESQ
Derek Abbott, ESQ
Gregory W. Werkheiser, ESQ
Morris, Nichols, Arsht & Tunnell
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
Tel: (302) 575-7229
Fax: (302) 425-4663
RDehney@MNAT.com
dabbott@mnat.com
gwerkheiser@mnat.com

(Served by mail and e-mail)

James L. Garrity, Jr., ESQ
Shearman & Sterling LLP
599 Lexington Avenue
New York, NY 10022
Tel: (212) 848-4879
Fax: (212) 848-4879
Defense Counsel for Traub, Bonacquist & Fox LLP (now defunct)
jgarrity@shearman.com

(Served by mail and e-mail)

Ronald R. Sussman, ESQ
Kronish, Lieb, Weiner & Hellman LLP
1114 Avenue of the Americas
New York, NY 10036-7798
Tel: (212) 479-6063
Fax: (212) 820-9785
Defense Counsel for Traub, Bonacquist & Fox, LLP (now defunct)
rsussman@kronishlieb.com

(Served by mail and e-mail)

Mark Minuti, ESQ
Barry F. Gold
Saul Ewing LLP
222 Delaware Avenue
Suite 1200
P.O. Box 1266
Wilmington, DE 19899
Tel: (724) 413-5783
Fax: (724) 898-0015
Defense Counsel for Barry Gold
mminuti@saul.com
barrygold@aol.com

(Served by mail and e-mail)

G. David Dean, ESQ
Saul Ewing LLP
100 South Charles Street
Baltimore, MD 21202
Tel: (410) 332-8704
Fax: (410) 332-8163
Defense Counsel for Barry F. Gold
gdean@saul.com

(Served by mail and e-mail)

Paul R. Traub, ESQ
Susan F. Balaschak, ESQ
Steven E. Fox, ESQ
Dreier, LLP/The Traub Group, f/k/a Traub, Bonacquist & Fox, LLP (currently defunct)
499 Park Avenue
New York, NY 10022
Tel: (212) 328-6100
Fax: (212) 328-6101
pt@tbfesq.com

(Served by mail and e-mail)

Michael S. Fox, ESQ
Olshan, Grundman, Frome, Rosenzweig & Wolosky, LLP
Park Avenue Tower
65 East 55th Street
New York, NY 10022
Tel: (212) 451-2277
Fax: (212) 451-2222
Formerly of Traub, Bonacquist & Fox, LLP (now defunct)
mfox@olshanlaw.com

(Served by mail and e-mail)

U.S. Securities and Exchange Commission (SEC)
Susan Sherrill-Beard
E. Gordon Robinson
3475 Lenox Road
Suite 1000
Atlanta, GA 30326
Tel: (404) 842-7625
Fax: (404) 842-7633
Investigators for the SEC
sherrill-beards@sec.gov

(Served by mail and e-mail)

Kelly Beaudin Stapleton, ESQ
U.S. Trustee
833 Chestnut Street, Suite 500
Philadelphia, PA 19107
Tel: (215) 597-4411
Fax: (215) 597-5795
Office of the U.S. Trustee
kelly.b.stapleton@usdoj.gov

(Served by mail, email, and one (1) copy hand delivered)

Mark S. Kenney, ESQ
J. Caleb Boggs Federal Building
844 King Street,
Suite 2313
Lockbox 35
Wilmington, DE 19801
Tel: (302) 573-6565
Fax: (302) 573-6497
Office of the U.S. Trustee
mark.kenney@usdoj.gov

(Served by mail and e-mail)

Frederick Rosner, ESQ
Duane, Morris, LLP
1100 North Market Street
Suite 1200
Wilmington, DE 19801-1246
Tel: (302) 657-4943
Fax: (302) 657-4901
Local Counsel for Traub, Bonacquist & Fox (now defunct)
Formerly of Jaspan Schlesinger Hoffman, LLP
FBRosner@duanemorris.com

Exhibit A

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dallo
CLERK OF COURT

LOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

DEFICIENCY NOTICE

DATE: January 23, 2007

TO: Robert K. Alber

RE: CA# 05-830 *** CASE CAPTION: In re: eToys Inc., et al

Please note that a document submitted for filing (or courtesy copy thereof) in the above noted case *does not conform* to one or more of the Administrative Procedures Governing Filing and Service by Electronic Means, or other local rules/practices: ☒ The Court will take no action on subject document until discrepancies are corrected.
or ☐ Corrective action has been taken by the Court, however future filings should address these concerns.

- ☐ D.I.# _____ Courtesy copy not received by end of next business day.
- ☐ D.I.# _____ Document or courtesy copy not properly bound (rubber bands/clips not acceptable).
- ☐ D.I.# _____ Notice of Filing Paper or Multi-media Materials filed; items not yet received.
- ☐ D.I.# _____ Redacted copy of sealed document not filed within 5 business days.
- ☐ D.I.# _____ Pro Hac Vice fee not paid for attorney(s) _____.
- ☐ D.I.# _____ Attorney account used to file document does not agree with the signature /s/ on document.
- ☐ D.I.# _____ Certificate of Service (when required) was not included as last page of the document.
- ☒ D.I.# _____ Certificate of Service (when required) does not show service on all NON-electronic parties.
- ☐ D.I.# _____ No electronic /s/ signature or actual signature of filer(s) found in all applicable blocks.
- ☐ D.I.# _____ Discovery document(s) erroneously filed. Document will be removed from the docket.
- ☐ D.I.# _____ L.R. 7.1.1 statement not included as required for non-dispositive motions.
- ☐ D.I.# _____ Request for extension of discovery or trial deadline lacks proof of notification to the client, or lacks the reasons for the request.
- ☐ D.I.# _____ Brief does not conform to local rules: _____.
- ☐ D.I.# _____ Document(s) on CD exceeds maximum file size of 4.0 megabytes. Please divide document into multiple pdf. segments under 4.0 MB each and resubmit to Clerk for filing.
- ☐ D.I.# _____ Sealed documents not properly presented for filing - _____.
- ☐ D.I.# _____ Document is not in a readable PDF format. Please correct and resubmit to Clerk's Office.
- ☐ D.I.# _____

If there are any questions concerning this matter, contact the Clerk's Office, at 573-6170. Also, refer to *ECF Tips* and *Administrative Procedures* on our web site, at <http://www.ded.uscourts.gov>.

cc: Assigned Judge
(DEFICIENCY NOTICE - Rev. 11/05)

Eustie Walker
Deputy Clerk

* Service should be made to Steven Haas

Exhibit B

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

-----X

In re:

Chapter 11

ETOYS, INC., et al.,

Case Nos. 01-0706 (MFW)
through 01-0709 (MFW)

Debtors.

ROBERT K. ALBER, *Pro Se*, X

Appellant,

v.

Civil Action No. 05-0830 (MPT)
Procedurally Consolidated with
Civil Action No. 05-0831

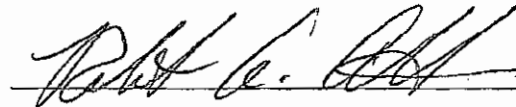
TRAUB, BONACQUIST & FOX, LLP,
BARRY GOLD, MORRIS, NICHOLS,
ARSHT & TUNNELL, LLP, and POST-
EFFECTIVE DATE COMMITTEE OF
EBC I, INC.,

Appellees.

-----X

CERTIFICATE OF SERVICE

RESPECTFULLY SUBMITTED this 25th day of January, 2007,



ROBERT K. ALBER

Pro Se Appellant/Cross Appellee
17685 DeWitt Avenue
Morgan Hill, CA 95037
Tel/Fax: (408) 778-5241
Cell: (928) 279-6244
condo28@mail.com

I, Robert K. Alber, hereby certify that I served 'Laser' Steven Haas via USPS on January 25th, 2007, while stating that HAAS had previously been served with the same documents via email on the applicable dates:

(Served by mail)

'Laser' Steven Haas
108 E. Jewel Street
Delmar, Delaware 19940
laserace01@yahoo.com